

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-20533
Honorable Victoria A. Roberts

MICHAEL HINDS,

Defendant.

ORDER STRIKING DEFENDANT'S MOTION RELEASE FROM CUSTODY [ECF. NO. 75] AND GRANTING GOVERNMENT'S MOTION TO STRIKE [ECF. NO. 77]

Defendant Michael Hinds filed a Motion for Release from Custody. In response, the Government, filed a Motion to Strike Defendant's Motion.

Federal law permits a criminal defendant to appear "personally or by counsel." 28 U.S.C. §1654. This is "disjunctive; a party may either represent himself or appear through an attorney." *Hall v Dorsey*, 534 F. Supp. 507, 508 (E.D. Pa 1982).

There is no right, constitutional or otherwise, to "hybrid representation - the representation at the same time by counsel and *pro se*." *United States v Trapnell*, 638 F. 2d 1016, 1027 (7th Cir. 1980). Therefore, as part of the latitude accorded district courts managing their dockets, courts may bar *pro se* filings by represented parties. *United States v Agofsky*, 20 F. 3d 866, 872 (8th Cir. 1994) (finding no error in the court's refusal to consider *pro se* motion where defendant was represented by counsel); *United States v Tracy*, 989 F. 2d 1279, 1285 (1st Cir. 1993) ("A district court enjoys wide latitude in managing its docket and can require represented parties to present motions through counsel.")

The Government's Motion **GRANTED**. Defendant's motion is **STRICKEN**.
IT IS ORDERED.

s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: 5/25/2020